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OFFICE OF PETITIONS

In re Application of	:	
Paulsen et al.	:	
Application No. 10/008,748	:	DECISION ON PETITION
Filed: 12/06/2001	:	
Attorney Docket No: IGT1P339/P-659	:	

This is a decision on the "PETITION TO GIVE 'RESCISSION OF NON-PUBLICATION REQUEST' A FILING DATE OF FEBRUARY 20, 2002," filed March 21, 2006, which is being treated as a petition under 37 CFR 1.181.

Applicant requests that the Office verify that applicant filed the Request to Rescind Previous Non-Publication Request Under 35 U.S.C. § 122(b)(2)(B)(ii) ("Request to Rescind") on February 20, 2002, as evidenced by the copy of the returned, date-stamped postcard receipt accompanying the petition. Applicant states that the originally filed Request to Rescind was not matched with the application upon receipt in the Office on February 20, 2002. Consequently, on February 27, 2006, applicant filed a "COMMUNICATION RESCINDING OF NON-PUBLICATION REQUEST," which included a copy of the previously filed Request to Rescind, and a copy of the returned postcard with a USPTO date-stamp of February 20, 2006. Thereafter, the Office mailed applicant a Communication Regarding Rescission of Non-Publication Request.

Applicant states that the PAIR Transaction History shows that the Office received the Request to Rescind on February 27, 2006, instead of February 20, 2006. Furthermore, applicant is concerned that the receipt date of February 27, 2006, indicated in PAIR might give the mistaken impression that the Request to Rescind was not filed until that date. Applicant indicates that applicant made foreign filings, claiming priority to this application, after the Request to Rescind was filed February 20, 2006.

As applicant indicates in the petition, the Office has not held the application abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii). Therefore, the Office obviously accepted the copy of the original Request to Rescind and the returned, date-stamped postcard receipt as evidence that the Request to Rescind was filed on February 20, 2006, rather than February 27, 2006. It is not the policy of the Office to correct such information in PAIR because it is reflected in the record in the correspondence received and mailed by the USPTO.

Accordingly, applicant's request to correct the receipt date of the Request to Rescind in PAIR is unnecessary, and therefore, is **dismissed** as moot.

A review of the record will reveal to the public that the Request to Rescind was filed on February 20, 2006.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3211.

C. T. Donnell

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